grounds some courts exclude equity jurisdiction entirely. *People ex rel. O'Reilly* v. *Mills*, 30 Colo. 262, 70 Pac. 322; *Scott* v. *James*, 7 Va. App. 158. See *State ex rel. Cranmer* v. *Thorson*, 9 S. D. 149, 68 N. W. 202. But when, as in the principal case, the official act is purely ministerial, these considerations of public policy should more properly affect not the jurisdiction of equity, but its exercise. *Mott* v. *Pennsylvania R. Co.*, 30 Pa. St. 9. If the threatened injury to the taxpayer is indisputable, it may more than balance the public policy. But if in the principal case the bulk of the expenses had already been incurred, the prospective injury to the individual taxpayer might seem too slight to warrant the injunction.

INTERSTATE COMMERCE — CONTROL BY CONGRESS — EFFECT OF CARMACK AMENDMENT ON CONTRACTS LIMITING LIABILITY OF CARRIERS. — A contract for an interstate shipment limited the carrier's liability for loss of the goods from any cause to the value declared. By the state law such a contract was void, but it was valid by the law of the federal courts. The Carmack Amendment to the Interstate Commerce Act imposed liability upon the initial carrier for any loss caused by it or other carriers, and forbade contracting out of this liability, with the proviso that the shipper should not be deprived of any remedy he had under existing law. *Held*, that the contract is valid. *Adams Express Co.* v. *Croninger*, 226 U. S. 491, 33 Sup. Ct. 148.

The amendment does not forbid limitation of liability from negligence to a fair valuation. *Greenwald* v. *Barrett*, 199 N. Y. 170, 92 N. E. 218; *Carpenter* v. *United States Express Co.*, 139 N. W. 154 (Minn., 1912). *Contra, Kansas City Southern Ry. Co.* v. *Carl*, 91 Ark. 97, 121 S. W. 932. The proviso is interpreted as superfluous, or as referring only to federal law, since otherwise the uniformity of regulation desired would be defeated and variation in state rules would amount to discrimination among shippers in the different states. *Cf. Texas & Pacific Ry. Co.* v. *Abilene Cotton Oil Co.*, 204 U. S. 426, 27 Sup. Ct. 350. The question then is whether the amendment supersedes state laws as to limitation of liability and leaves the federal law. Before this amendment, the Interstate Commerce Act did not affect the states' jurisdiction on this subject. *Chicago, M. & St. P. Ry. Co.* v. *Solan*, 169 U. S. 133, 18 Sup. Ct. 289; *Pennsylvania R. Co.* v. *Hughes*, 191 U. S. 477, 24 Sup. Ct. 132. The authorization of the Interstate Commerce Commission to control a particular subject in absence of its action does not prevent state regulation. *Missouri Pacific Ry. Co.* v. *Larrabee Flour Mills Co.*, 211 U. S. 612, 24 Sup. Ct. 214; *St. Louis, I. M. & S. Ry.* v. *Edwards*, 94 Ark. 394, 127 S. W. 713. Where the Commission has defined certain acts as discriminatory, the state may define others as discriminatory. *Puritan Coal Mining Co.* v. *Pennsylvania R. Co.*, 237 Pa. St. 420, 85 Atl. 426. Federal interstate regulation has not deprived states of power to regulate size of train crews, payment of wages, or to penalize delay. *Pittsburg, C., C. & St. L. Ry.* v. *State*, 172 Ind. 147, 87 N. E. 1034; *State* v. *Missouri Pacific R. Co.*, 147 S. W. 118 (Mo., 1912); *Traynham* v. *Charleston & West Carolina Ry.*, 71 S. E. 813 (S. C., 1911). A clear intention to suspend state power must be manifest. See *Reid* v. *Colorado*, 187 U. S. 137, 148, 23 Sup. Ct. 92, 96. But it is not necessary that the state statute be inconsistent with the federal statute to be invalid. *Southern Ry.* v. *Reid*, 222 U. S. 424, 32 Sup. Ct. 140. But *cf. Martin* v. *Oregon R. & Navigation Co.*, 58 Or. 198, 113 Pac. 16. And in the principal case the federal statute would seem to show an intent to occupy the entire field so as to exclude the state. *Contra, Elliott* v. *Atlantic Coast Line R. Co.*, 75 S. E. 886 (S. C., 1912); *J. M. Pace Mule Co.* v. *Seaboard Air Line R. Co.*, 76 S. E. 513 (N. C., 1912).

INTERSTATE COMMERCE — CONTROL BY STATES — CONSTITUTIONALITY OF STATE STATUTE COMPELLING RACE SEGREGATION ON ALL TRAINS. — A state